

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on March 3, 2015.

Mayor Gover presided and called the meeting to order at 6:30 p.m.

Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Dave Cox, YEA Commissioner Sandra Graven, YEA Commissioner Rick Hall, YEA Commissioner Preston Owen, and YEA Mayor Tim Gover.

Also physically present were City personnel: City Administrator Kyle Gill, City Attorney Janett Winter-Black, Finance Director/Treasurer Beth Wright, Public Works Director Dean Barber, Fire Chief Tony Nichols, Police Chief Jeff Branson, Arts & Tourism Director Angelia Burgett and City Clerk Susan O'Brien.

CONSENT AGENDA

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting February 17, 2015; Budget Workshop Session on February 19, 2015; bills and payrolls for the last half of February, 2015.

Bills and Payrolls for the last half of February, 2015

| | | | |
|---------|---|----|------------------|
| | <u>General Fund</u> | | |
| Payroll | | \$ | 243,077.00 |
| Bills | | \$ | <u>59,662.70</u> |
| | Total | \$ | 302,739.70 |
| | <u>Hotel Tax Administration</u> | | |
| Payroll | | \$ | 2,376.54 |
| Bills | | \$ | <u>1,187.71</u> |
| | Total | \$ | 3,564.25 |
| | <u>Arts Council</u> | | |
| Bills | | \$ | <u>133.85</u> |
| | | \$ | 133.85 |
| | <u>Insurance & Tort Fund</u> | | |
| Bills | | \$ | <u>13,563.49</u> |
| | Total | \$ | 13,563.49 |
| | <u>Festival Management</u> | | |
| Bills | | \$ | <u>2,560.00</u> |
| | Total | \$ | 2,560.00 |
| | <u>Midtown TIF</u> | | |
| Bills | | \$ | <u>19,150.00</u> |
| | | \$ | 19,150.00 |
| | <u>Capital Project</u> | | |
| Bills | | \$ | <u>35,912.00</u> |
| | | \$ | 35,912.00 |

| | | | |
|---------|-------|------------------------------------|-------------------|
| | | <u>Water Fund</u> | |
| Payroll | | \$ | 40,628.12 |
| Bills | | \$ | <u>22,849.05</u> |
| | Total | \$ | 63,477.17 |
| | | <u>Sewer Fund</u> | |
| Payroll | | \$ | 38,522.51 |
| Bills | | \$ | <u>94,905.68</u> |
| | Total | \$ | 133,428.19 |
| | | <u>Heath Insurance Fund</u> | |
| Bills | | \$ | <u>219,469.20</u> |
| | Total | \$ | 219,469.20 |
| | | <u>Motor Fuel Tax Fund</u> | |
| Bills | | \$ | <u>213,691.80</u> |
| | Total | \$ | 213,691.80 |

Mayor Gover opened the floor for comments/discussion with no response.

Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

PRESENTATIONS, PETITIONS AND COMMUNICATIONS

Mayor Gover opened the floor for Public comments. Mr. Jeff Nelson of the Mattoon Lions Club asked the Council to consider adding more intersections as designated intersections for solicitations by organizations. Commissioner Graven asked Mr. Nelson if he had any intersections in mind. Mr. Nelson stated 9th & Marshall, 14th & Marshall, and 21st & Western. Mayor Gover opened the floor for questions or comments with no response.

Commissioner Cox presented Robert Griffin a retirement plaque acknowledging more than 36 years of service with the City. Mayor Gover thanked Mr. Griffin for his service and extended best wishes in his retirement.

NEW BUSINESS

Commissioner Cox seconded by Commissioner Graven moved to adopt Ordinance No. 2015-5374, amending Section 35.01 Fees & Charges to update the 2015 rates for Lake Mattoon Campgrounds and Marina; and to implement fees regarding the Farmers Market and Duck Blind Applications.

**CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2015-5374**

**AN ORDINANCE AMENDING THE FEE SCHEDULE
OF THE MUNICIPAL CODE**

WHEREAS, the City of Mattoon maintains two campgrounds, a marina and a beach area at Lake Mattoon; and

WHEREAS, the revenues derived from the activities at Lake Mattoon are set such that they pay for the expenses incurred to provide them; and

WHEREAS, the City allows a Farmers Market which has been successful and now requires regulated spacing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, ILLINOIS;

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Amendments. Chapter 35.01 (H)(1) of the Mattoon Code of Ordinances is amended by repealing all of said Section and adopting in lieu thereof a new Chapter 35.01 (H)(1) as shown below. If the fees listed below are in conflict with the same fees now contained in the Mattoon Code of Ordinances, the fees listed below shall have precedence.

(H) *Recreation and cemetery.*

(1) *Campgrounds.*

| <i>Lake Mattoon East Campground Rental Fee</i> | |
|---|---|
| Seasonal rate (April 1 through October 1) | \$1,500 plus electricity and water |
| Electricity – Seasonal rate | Actual metered usage, \$13.50 per month minimum |
| Electricity – Winter rate (6-month) | \$81.00 minimum, pre-paid |
| Water | \$15.00 per month flat rate |
| Winter Boat Storage | \$150.00 |
| Extra Boat Trailer Storage at Site - monthly | \$25.00 |
| Monthly Camping Rate | \$325 plus electricity and water |
| Daily rate | \$27.50 (no electric or water hook-ups available for daily rate customers) |
| Late Fee – | \$100 |

| | |
|--------------------------------|---------|
| Rent | |
| Late Fee - Utilities | \$10.00 |
| Reconnect Fee –after 4 p.m. | \$50.00 |
| Reconnect Fee 8 am - 4 pm | \$25.00 |

| <i>Lake Mattoon Campground West Rental Fee</i> | | |
|---|---------|---------------------------|
| Seasonal rate plus electricity | \$1,400 | April 15 to October 15 |
| Seasonal Monthly plus electricity | \$1,800 | |
| Monthly Rate plus electricity | \$300 | |
| Daily Camper Rate | \$25 | |
| Daily Tent Rate | \$15 | |
| Non-campers Docks- monthly | | \$100 |
| Seasonal Boat Docks | | \$250 |
| Monthly Boat Docks | | \$75 |
| Daily Dock Rate | | \$15 |
| Winter Camper Storage | | \$150 |
| Late Fee – Rent | | \$100 |
| Late Fee – Utilities | | \$10.00 |

| <i>Boat Registration Fee</i> | |
|-------------------------------------|------|
| Per motorized boat | \$60 |

| | |
|------------------------|------|
| Per non-motorized boat | \$10 |
|------------------------|------|

| | |
|---|-------|
| <i>Sea Wall Barge Permit Fee</i> | |
| Per barge | \$500 |

Section 3. Amendments. Chapter 35.01 (H)(3) of the Mattoon Code of Ordinances is hereby added and adopted as a new Chapter 35.01 (H)(3) as shown below.

(H) *Recreation and cemetery.*

(3) *Farmers Market.*

| | |
|---|-------|
| <i>Farmers Market Fee</i> | |
| Reserved Section per season – prepaid, non-refundable per space | \$100 |
| Non-reserved Section per week – non-refundable per space | \$5 |

Section 4. Amendments. Chapter 35.01 (H)(4) of the Mattoon Code of Ordinances is hereby added and adopted as a new Chapter 35.01 (H)(4) as shown below.

(H) *Recreation and cemetery.*

(4) *Duck Blind.*

| | |
|---|------|
| <i>Duck Blind Application Fee</i> | |
| Duck Blind Application Fee – non-refundable per application | \$50 |

Section 5. All prior ordinances, resolutions and orders or parts of ordinances, resolutions and orders in conflict with this Ordinance are repealed to the extent of such conflict.

Section 6. This ordinance shall be in full force and effective upon approval and publication in pamphlet form as provided by law.

Upon motion by Commissioner Cox, seconded by Commissioner Graven, adopted this 3rd day of March, 2015, by an omnibus vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven.

Commissioner Hall, Commissioner Owen,
Mayor Gover

NAYS (Names): None
ABSENT (Names): None

Approved this 3rd day of March, 2015.

/s/ Timothy D. Gover
Timothy D. Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on March 3, 2015.

Mayor Gover opened the floor for questions/comments with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Cox seconded by Commissioner Owen moved to adopt Special Ordinance No. 2015-1588, approving the purchase of approximately 0.077 acres from Willaredt Limited Partnership in the amount of \$3,137.00 for a permanent easement to facilitate construction of piping leading to the Satellite Treatment Facility near Riley Creek.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2015-1588

AN ORDINANCE AUTHORIZING THE PURCHASE OF A PERMANENT EASEMENT

WHEREAS, the City of Mattoon is preparing to construct a Satellite Treatment Facility to collect and treat combined sewer overflows near Riley Creek; and

WHEREAS, approximately 0.077 acres of permanent easement is required near the north end of Willaredt Storage on North US Route 45; and

WHEREAS, said easement is required to facilitate construction of piping leading to the facility; and

WHEREAS, Willaredt Limited Partnership has agreed to sell said Permanent Easement at the appraised value of \$3,137.00; and

WHEREAS, said Permanent Easement is further described on the attached Dedication of Easement, Survey Plat, and Aerial Photo marked as Exhibits 'X', 'Y', and 'Z' respectively.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The City Council hereby approves the purchase of the Permanent Easement described on the attached Dedication of Easement in Exhibit "X", and Survey Plat in Exhibit "Y" be approved in the amount of \$3,137.00,

and that the Mayor and the City Clerk are hereby authorized to execute the necessary documents to complete the purchase.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cox, seconded by Commissioner Owen, adopted this 3rd day of March, 2015, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Hall,
Commissioner Owen, Mayor Gover
ABSTAIN (Names): Commissioner Graven
NAYS (Names): None
ABSENT (Names): None

Approved this 3rd day of March, 2015.

/s/ Timothy D. Gover
Timothy D. Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST: APPROVE AS TO FORM

/s/ Susan J. O'Brien /s/ Janett Winter-Black
Susan J. O'Brien, City Clerk Janett Winter-Black, City Attorney

Recorded in the Municipality's Records on March 3, 2015.

Mayor Gover opened the floor for comments/questions with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, Abstain Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2015-1579, approving the refurbishment of Fire Engine 21 in the estimated amount of \$89,229.60 by Pierce Manufacturing Company.

Mayor Gover opened the floor for comments from Chief Nichols. Chief Nichols noted the Engine was being stripped down and ready to ship to Pierce. Commissioner Hall inquired how many years the refurbishment would extend the life of the Engine. Chief Nichols stated four to five years. Mayor Gover noted the necessity of the refurbishments.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request 2015-1580, authorizing the promotion of Lt. Timothy St. John to rank of Captain effective March 7, 2015, due to the resignation of Adam Weinstock.

Mayor Gover opened the floor for comments/discussion. Chief Branson stated all three of the candidates were outstanding officers and ready for the next step.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Owen moved to approve Council Decision Request 2015-1581, authorizing the promotion of Sgt. Samuel Gaines to rank of Lieutenant effective March 7, 2015, due to the resignation of Adam Weinstock.

Mayor Gover opened the floor for comments/discussion with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Cox moved to approve Council Decision Request 2015-1582, authorizing the promotion of Officer Jeffery Wines to rank of Sergeant effective March 7, 2015, due to the resignation of Adam Weinstock.

Mayor Gover opened the floor for comments/discussion with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request 2015-1583, awarding the bid in the amount of \$63,600 to Industrial Services of Illinois, Inc. for Fire Station #3 roof and wall replacements.

Mayor Gover opened the floor for questions/comments. Administrator Gill explained the need for the new roof due to building codes; stated the cost was less than budgeted, would provide a better insurance rating, and reduce utilities.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request 2015-1584, authorizing the employment of Alexander T. H. Hesse at the Mattoon Police Department as a probationary officer on June 28, 2015 or earlier if there is an opening in the March Police Training Institute.

Mayor Gover opened the floor for comments/discussion with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

Mayor Gover acknowledged the attendance of Mr. Hesse.

Commissioner Owen seconded by Commissioner Cox moved to adopt Resolution No. 2015-2930, approving and authorizing the Legal Services Agreement with Craig & Craig, L.L.C. for litigation regarding the former Young's Radiator demolition located at 120 North 14th Street.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2015-2930

A RESOLUTION APPROVING AND AUTHORIZING A LEGAL SERVICES AGREEMENT WITH CRAIG & CRAIG, L.L.C., LAW FIRM TO PROSECUTE A CAUSE OF ACTION AND CLAIM FOR

**DEMOLITION OF STRUCTURES LOCATED ON THE PREMISES FORMERLY KNOWN AS
“YOUNG’S RADIATOR”, 120 NORTH 14th STREET.**

WHEREAS, it is the desire of the City Council for the City of Mattoon, Coles County, Illinois, to remove unsafe, dangerous and unsightly buildings or to require the owners to repair them; and,

WHEREAS, all the buildings located on the premises commonly known as “Young’s Radiator,” 120 North 14th Street, Mattoon, Illinois, have deteriorated to the point that they are unreasonably dangerous and unsafe and are a continuing hazard to the public.

WHEREAS, The City Council has determined, it is in the best interest of the City, to retain the legal services of Craig & Craig, L.L.C., law firm to prosecute a cause of action and claim for demolition of said structures; and

WHEREAS, a Legal Services Agreement, between the City of Mattoon and Craig & Craig, L.L.C., is attached hereto and incorporated herein by reference.

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Mattoon, Coles County, Illinois hereby authorizes the Mayor to execute and to enter into the attached Legal Services Agreement between the City of Mattoon and Craig & Craig, L.L.C., of Mattoon, for legal services to prosecute the condemnation and demolition of structures located on the premises formerly known as “Young’s Radiator”, 120 North 14th Street, Mattoon.

Upon motion by Commissioner Owen, seconded by Commissioner Cox adopted this 3rd day of March, 2015, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven
 Commissioner Hall, Commissioner Owen,
 Mayor Gover
NAYS (Names): None
ABSENT (Names): None

Approved this 3rd day of March, 2015.

/s/ Timothy D. Gover
Timothy D. Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/Susan J. O’Brien
Susan J. O’Brien, City Clerk

/s/ Janett S. Winter-Black
Janett S. Winter-Black City Attorney

Recorded in the Municipality’s Records on March 3, 2015.

Mayor Gover opened the floor for comments/questions with no response. Mayor Gover noted on his first day he wanted something done with the Young’s Radiator site and hopefully progress would happen with this agreement.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, YEA Commissioner Owen, YEA Mayor Gover.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/ COMMUNITY DEVELOPMENT noted a meeting with MAID and a tour of Lake Land College Development Center, budget work, ordinance changes, several plans submitted for review, issuance of permits for smaller projects, and updating the zoning ordinance. Mayor Gover opened the floor for questions from Council or the Public with no response.

CITY ATTORNEY had nothing significant to report, but was working with the cell tower attorney to finalize an agreement. Mayor Gover opened the floor for questions with no response.

CITY CLERK noted absentee voting to begin on March 16th for the Consolidated Election on April 7th; otherwise business as usual. Mayor Gover opened the floor for questions with no response.

FINANCE noted review of sales tax from vendors resulting in a reduction of less than 1% in revenues, preparing sinking funds for bond payments, and continuation of budget preparation. Mayor Gover noted the City's concern over Governor Rauner's proposed cut of \$918,000 to City revenues, contact with Senator Righter, others, and IML about resolving the proposed cuts.

PUBLIC WORKS noted continued work on the Broadway Alley and three sets of plans ready for Spring work. Mayor Gover opened the floor for questions with no response.

FIRE noted an FAA inspection to certify the Fire Department for protecting Coles County Airport, and thanked Shift Captain Doug Dodson for his efforts with inspection preparedness. Mayor Gover opened the floor for questions with no response.

POLICE noted the status quo for his Department.

ARTS AND TOURISM noted all three acts for Bagelfest have been booked, two successful quilting events in Depot, and theatre at the end of the month and Arts Exhibit in April in the Lone Elm Room. Mayor Gover opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioner Cox noted a meeting with Senator Righter and Canadian National Railroad to find solutions in Mattoon; thanked Chief Nichols and Chief Branson for their safety insights; and hoped for a viable solution to the railroad crossing congestion. Commissioner Graven read an email thanking the street crews for helping a citizen by pushing their vehicle when stuck. She further stated the employee was Mike Abbott and the street crews do a wonderful job clearing the streets. Commissioners Hall and Owen had no further comments.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 6:55 p.m.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, NAY Commissioner Owen, YEA Mayor Gover.

/s/ Susan J. O'Brien
City Clerk